

FILED BY gy D.C.

UNITED STATES OF AMERICA

05 OCT -5 PM 1:56

v.

JOHN SIMMONS

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
No. 05cr20211-D MEMPHIS

ORDER SETTING COMPETENCY HEARING AND  
SPECIFYING PERIOD OF EXCLUDABLE DELAY UNDER THE SPEEDY TRIAL ACT

The defendant, by and through his appointed counsel April Goode has this day notified the Court that the defendant, upon order of the court, had previously been transferred to a suitable hospital or facility selected by the Court of pretrial examination pursuant to 18 U.S.C. § 4241 to determine defendant's mental competency to stand trial, and that the parties need additional time to review the report and prepare for the competency hearing. The Court hereby sets the competency hearing in this matter for Thursday, October 20, 2005.

It is ORDERED that pursuant to 18 U.S.C. §3161(h)(1)(A) the time period of 10/5/2005 through 10/20/2005 be excluded under the Speedy Trial Act.

ARRAIGNMENT TO BE RESET AT LATER DATE

This 5 day of October, 2005.

  
UNITED STATES MAGISTRATE JUDGE

This document entered on the docket sheet in compliance  
with Rule 55 and/or 32(b) FRCP on 10/5/05

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 23 in case 2:05-CR-20211 was distributed by fax, mail, or direct printing on October 5, 2005 to the parties listed.

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Honorable Tu Pham  
US DISTRICT COURT